

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINARECEIVED
U.S. DISTRICT COURT, CLERK, CHARLESTON, SC

2009 JAN 29 A 8:12

William Charles Nolan, #267162,

Plaintiff,

v.

J. Al Cannon, Jr., Sheriff; Corey
Smith, Dep. Sheriff/Admin.; Mitch
P. Lucas, Chief Admin.; A. Hanson,
Major,

Defendants.

Civil Action No. 3:08-2201-SB-JRM

ORDER

This matter is before the Court upon the Plaintiff's pro se complaint, which alleges violations of his constitutional rights pursuant to 42 U.S.C. § 1983. By local rule, the matter was referred to a United States Magistrate Judge for preliminary determinations.


On October 6, 2008, the Defendants filed a motion for summary judgment, and on October 8, 2008, the Magistrate Judge issued an Order pursuant to Roseboro v. Garrison, 528 F.2d 309 (4th Cir. 1975), advising the Plaintiff of his obligation to respond to the Defendants' motion. When the Plaintiff failed to respond, the Magistrate Judge issued a second Order on December 4, 2008, ordering the Plaintiff to notify the Court within fifteen days as to whether he wished to continue to prosecute this action. The Plaintiff never filed a response. Therefore, on January 7, 2009, the Magistrate Judge issued a report and recommendation ("R&R"), recommending that the Court dismiss the Plaintiff's complaint pursuant to Federal Rule of Civil Procedure 41(b) for failure to prosecute. Attached to the R&R was a notice advising the Plaintiff of his right to file written, specific objections to the R&R within ten days. To date, no objections have been filed.

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Absent timely objection from a dissatisfied party, a district court is not required to review, under a de novo or any other standard, a Magistrate Judge's factual or legal conclusions. Thomas v. Arn, 474 U.S. 140, 150 (1985); Wells v. Shriner's Hosp., 109 F.3d 198, 201 (4th Cir. 1997). Here, because the Plaintiff did not file any specific, written objections, the Court need not conduct a de novo review of any portion of the R&R. Accordingly, the Court hereby adopts the Magistrate Judge's R&R as the Order of this Court, and it is

ORDERED that the Plaintiff's complaint is dismissed with prejudice for lack of prosecution.

IT IS SO ORDERED.


The Honorable Sol Blatt, Jr.
Senior United States District Judge
January 28, 2009
Charleston, South Carolina